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BEST BUY CO., INC.; BEST BUY PURCHASING LLC; BEST
BUY ENTERPRISE SERVICES, INC.; BEST BUY STORES,
L.P.; BESTBUY.COM, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. 3:07-cv-05944-SC
MDL No. 1917

This Document Relates to:

Best Buy Co. Inc. et al. v. Hitachi, Ltd. et al.,
No. 3:11-cv-05513-SC

*ViewSonic Corp. v. Chunghwa Picture Tubes,
Ltd. et al.*, No. 3:14-cv-02510-SC

**DECLARATION OF ALAN S.
FRANKEL IN SUPPORT OF
OPPOSITION TO CHUNGHWA
PICTURE TUBES, LTD. AND
CHUNGHWA PICTURE TUBES
(MALAYSIA) SDN. BHD.'S MOTION
IN LIMINE TO EXCLUDE OPINIONS
REGARDING ACTUAL DAMAGES
ATTRIBUTABLE TO THE
CHUNGHWA DEFENDANTS**

[DEFENDANTS' MIL NO. 21]

**Date: TBD
Time: TBD
Place: Courtroom 1
Judge: Hon. Samuel Conti**

1 I, Alan S. Frankel, declare and state as follows:

2 1. I am President of Coherent Economics, LLC. I have been retained as an expert
3 witness by Plaintiffs in the above-captioned actions currently pending in the United States District
4 Court for the Northern District of California. The facts set forth herein are true of my own
5 personal knowledge, except where based on a review of the pleadings and records in this action,
6 and, if called as a witness, I could and would competently testify thereto.

7 2. In my capacity as an expert witness for sixteen Plaintiffs in these actions, I
8 submitted a series of expert reports, including reports for Best Buy¹ and ViewSonic Corporation
9 ("ViewSonic"). The reports were largely similar across the different Plaintiffs, but took into
10 account some of the issues and data specific to each Plaintiff. My qualifications were described
11 in detail in my initial expert reports.

12 Best Buy

13 3. On April 15, 2014, I submitted the expert report for Best Buy (the "Best Buy
14 Report"). In preparing the Best Buy Report, I was asked, among other things, to [REDACTED]

15 [REDACTED]
16 [REDACTED] I was also asked
17 to [REDACTED]

18 [REDACTED]
19 [REDACTED] For the latter computation, [REDACTED]

20 4. I have been asked by counsel for Best Buy to explain [REDACTED]

21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 5. [REDACTED]
25 [REDACTED]
26 [REDACTED]

27 ¹ "Best Buy" consists of Best Buy Co., Inc., Best Buy Purchasing LLC, Best Buy Enterprise
28 Services, Inc., Best Buy Stores, L.P., and Bestbuy.com, L.L.C.

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6. For example,

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² For example,

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9. At my deposition on July 10, 2014, I testified that

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12. In preparing Tables 1 and 2,

ViewSonic

13. On June 6, 2014, I submitted an expert report on behalf of ViewSonic (the “ViewSonic Report”). In the ViewSonic Report, I was asked, among other things, to

I was instructed by counsel for ViewSonic

³ This computation will understate damages attributable to Chunghwa CPTs, because Chunghwa’s share of sales of small CPTs must exceed its share of sales of all CPTs if it made no large CPTs.

14. The work that I performed in the ViewSonic Report [REDACTED]

15. Attached to my declaration as Exhibit C is Table 3, [REDACTED]

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed this 27th day of February 2015 in Highland Park, IL.


Alan S. Frankel